

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

VANDERBILT MORTGAGE AND
FINANCE, INC., ET AL.,

PLAINTIFFS,

VS.

CESAR FLORES, ET AL.,

DEFENDANTS.

* CIVIL ACTION
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* CA-C-09-312
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* CORPUS CHRISTI, TEXAS
* NOVEMBER 18, 2010
* 10:11 A.M.
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PARTIAL TRANSCRIPT OF JURY TRIAL - DAY 7
(COMMENTS AFTER DISMISSAL OF JURY)

BEFORE THE HONORABLE JANIS GRAHAM JACK
UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE PLAINTIFFS:

MR. JORGE C. RANGEL
THE RANGEL LAW FIRM
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(APPEARANCES CONTINUED ON PAGE 2)

COURT RECORDER:

MS. VELMA GANO

PROCEEDINGS RECORDED BY ELECTRONIC SOUND RECORDING
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1 APPEARANCES: (CONTINUED)

2 FOR THE PLAINTIFFS: MR. PATTON G. LOCHRIDGE
3 MR. CARLOS R. SOLTERO
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7 MR. EDWARD S. SLEDGE, IV
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12 FOR THE DEFENDANTS MR. BALDEMAR F. GUTIERREZ
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17 FOR ARTURO TREVINO: MR. DAVID L. RUMLEY
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1 (The proceedings began at 10:11 a.m.)

2 (Call to Order of the Court.)

3 * * * * *

4 (Excerpt beginning at 12:00:50 p.m.)

5 THE COURT: Thank you. You may be seated. Anything
6 further?

7 MR. SOLTERO: Your Honor, we'll be filing --

8 THE COURT: I expected you would.

9 MR. SOLTERO: But briefly, it does appear that
10 there's redundancy, that the damages were more than once for
11 the same --

12 THE COURT: I think there are two sets of damages
13 that are redundant; not the RICO, because you get those, I
14 think, in addition to anything else. But the two 15,000, the
15 other two \$15,000 awards may be redundant. You may be only
16 allowed to recover one set of those 15,000, and then one set of
17 the RICO 15,000, and then one, the one exemplary that was given
18 for the rest.

19 MR. RUMLEY: And we'll be submitting a motion on
20 costs and attorney's fees as well.

21 THE COURT: Okay.

22 MR. JAVIER GUTIERREZ: So will we.

23 MR. SOLTERO: And we'll be filing appropriate
24 responses and the other motion as well, Your Honor.

25 THE COURT: All right. Well, just be glad they

1 didn't hire your handwriting expert.

2 MR. RANGEL: And Judge --

3 THE COURT: That was just a little joke.

4 MR. RANGEL: We would like to --

5 MR. LOCHRIDGE: It just hurts when I laugh.

6 MR. RANGEL: We would like, on the record, to express
7 our appreciation for the time that the Court gave us to work on
8 this.

9 THE COURT: And my clerks and all the rest of the
10 staff.

11 MR. RANGEL: I was going to continue with that.

12 THE COURT: Thank you.

13 MR. RANGEL: And we just thank you for giving us the
14 opportunity to present the full --

15 THE COURT: Well, it was a real pleasure to see you
16 all. I mean, your briefs were incredible. The arguments were
17 good. Your professionalism was -- it's just such a pleasure,
18 you know, Mr. Rangel, to sit as a Judge with excellent lawyers.

19 And so I thank you all very much. And again, I told
20 you that not everybody's going to win in a case like this, but
21 I know that each of your clients was pleased with your
22 representation. So thank you all very much. You're excused.

23 MR. RANGEL: Thank you, Your Honor.

24 MR. JAVIER GUTIERREZ: We thank the Court and the
25 staff for all of its help on behalf of Cesar Flores and --

1 THE COURT: Yeah, all these people are the court.

2 MR. JAVIER GUTIERREZ: Yes.

3 THE COURT: Like I told Mr. Rangel, I just get to sit
4 up here with the robe.

5 MR. JAVIER GUTIERREZ: Thanks for your hard work,
6 Your Honor. Appreciate it.

7 THE COURT: Thank you all very much.

8 MR. RUMLEY: Thank you, Your Honor.

9 (Proceedings concluded at 12:03 p.m.)

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14 I, court approved transcriber, certify that the foregoing is a
15 correct transcript from the official electronic sound recording
of the proceedings in the above-entitled matter.

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/s/ Molly Carter
Molly Carter

January 31, 2011
Date

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